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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,250	04/20/2004	Shinji Takahashi	Q81110	2550
65565	7590	04/16/2008		
SUGHRUE-265550 2100 PENNSYLVANIA AVE. NW WASHINGTON, DC 20037-3213			EXAMINER GAY, SONIA L	
			ART UNIT	PAPER NUMBER
			2614	
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			04/16/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/827,250	<b>Applicant(s)</b> TAKAHASHI, SHINJI	
	<b>Examiner</b> SONIA GAY	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

This office action is in response to application no. 10/827250 submitted on April 20, 2004 with a priority date of April 21, 2003 in which claims 1 – 15 are presented for examination.

#### *Priority*

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 10/827250, filed on April 20, 2004.

#### *Claim Rejections - 35 USC § 101*

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claim 15 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as the claim reads “ a host management **program** of a host management apparatus”. Computer programs claimed as computer listings per se, i.e., the descriptions or expressions of the programs are not physical “things”. They are neither computer components nor statutory processes, as they are not “acts” being performed. Such claimed computer programs do not define any structural or functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program’s functionality to be realized. In contrast, a claimed computer –readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program’s functionality to be realized, and is thus statutory. See MPEP 2106.01(citing to In re Lowry, 32 F.3d 1579,1583-84, 32 USPQ2d 1031, 1035(Fed. Cir. 1994).

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4 and 13- 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawamoto ( US 2001/0023487).

As to claim 1 and 13, Kawamoto teaches a host management method and apparatus ( authentication server terminal: **Fig. 1** 100) being placed on a network to which hosts of an electronic conference system (sender terminal, receiver terminal: **Fig. 1** 110, 140) are connected comprising:

a host authentication section (user authentication device : **Fig. 2** 222) for authenticating a selected host ([0044]) and,

a host information registration section (user information retrieving section: : **Fig. 2** 231) for registering host information including IP address information (multicast address and port number, [0039]) of a host authenticated by said host authentication section. ([0039])

As to claim 2, Kawamoto discloses the claimed invention above and further discloses a host information storage section (server registration information: **Fig. 2** 240) for storing the host information of the host authenticated by said host authentication section. ([0039])

As to claim 3, Kawamoto discloses the claimed invention above and further discloses a host information update section for updating the host information stored in the host information storage section. ( [0039])

As to claim 4, Kawamoto discloses the claimed invention above and further disclose wherein the host information update section updates the host information in a predetermined cycle. ( login, logout, periodically retransmitting encryption key as record of participation : [0018][0045])

As to claim 14, Kawamoto discloses the claimed invention above and further discloses storing the host information of the host authenticated in said step of authenticating the selected host ([0039]); updating the stored host information ([0018][0045]); and acquiring host information of a host that enables to be connected for taking part in a conference([0039]) .

As to claim 15, Kawamoto disclose a host management program of a host management apparatus being placed on a network to which hosts of an electronic conference system are connected, causing a computer to perform: a host authentication function of authenticating a selected host; and a host information registration function of registering host information including IP address information of a host authenticated by the host authentication function. (Claim 9; [0039][0044]).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2614

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 5-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamoto (US 2001/0023487) in view of Yamaguchi et al. ( US. 7,136,997)

For claims 5-8 , Kawamoto discloses the claimed invention above , yet fails to teach a host information exchange section for mutually exchanging the host information between said host management apparatus and another host management apparatus.

However, Yamaguchi et al. teaches a device and method wherein said host management apparatus ( authentication server for carrying out a registration of a new device : column 3 lines 21 – 24) contains an information exchange section (registration information delivery unit : column 4 lines 14 – 17) for the purpose of mutually exchanging host information between said host management apparatus and another host apparatus (back-up authentication server : column 3 lines 24 – 29) to avoid the problem of losing host information if only one host apparatus is available and fails (column 2 lines 43 - 46).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the invention disclosed in Kawamoto with the invention disclosed in Yamaguchi et al. to include an information exchange section in the host management apparatus (authentication server disclosed above in Kawamoto) for the purpose of exchanging registration information of the hosts (terminals disclosed above in Kawamoto) with another host management apparatus (authentication server disclosed above in Kawamoto).

For claims 9 - 12, Kawamoto in view of Yamaguchi discloses the claimed invention above and further discloses wherein the host information exchange section exchanges the host information in a predetermined cycle ( time of device registration : column 10 lines 43 – 57).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SONIA GAY whose telephone number is (571)270-1951. The examiner can normally be reached on Monday to Thursday from 7:30 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sonia Gay  
4/04/2008

/Ahmad F. MATAR/  
Supervisory Patent Examiner, Art Unit 2614